

AUTHORISATION OF OFFICERS TO REPRESENT THE COUNCIL AT COURT

EXECUTIVE MEMBER: Cllr E Woodburn
LEAD OFFICER: Jane Salt Head of Customer Services
REPORT AUTHOR: Jane Salt Head of Customer Services

Summary: To update the authorisation of officers to represent the Council at Magistrates Court and to seek approval for Customer Services staff to attend County Court in respect of non contested cases

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| Recommendation: That Members recommend the list of postholders in Appendix A be authorised to represent the Council |
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Impact on delivering the Corporate Plan: To support effective Council activities and comply with appropriate Governance arrangements.

Impact on other statutory objectives (e.g. crime & disorder, LA21): None

Financial and human resource implications: To ensure that all staff being requested to attend Court have the correct authorisation to represent the Council.

Project & Risk Management: None

Key Decision Status

- **Financial:** None
- **Ward:** None

Other Ward Implications: None

1. INTRODUCTION

- 1.1 In accordance with Section 223 of the Local Government Act 1972 postholders need to be authorised to attend Court and represent the Council in connection with legal proceedings relating to the recovery of unpaid Council Tax and Non-domestic rates.
- 1.2 Currently the same officers are unable to represent the Council in the County Court in connection with legal proceedings relating to the recovery of unpaid miscellaneous income due to the Council.

2. ARGUMENT

- 2.1 The authorisation of officers to represent the Council at Magistrates Court was last amended in September 1999, since then the names of posts have been changed and the authorisation needs to reflect these changes.
- 2.2 As part of the restructure the recovery of miscellaneous income is the responsibility of the Customer Services section. It is intended that as part of the recovery process Customer Service

officers will attend County Court in respect of non contested cases. All other cases will be referred to a legal professional.

3. CONCLUSIONS

- 3.1 That Council approval is required to grant authorisation to the relevant officers in order for them to carry out their official duties.

List of Appendices

Appendix A – List of post holders

List of Background Documents:

Local Government Act 1972

List of Consultees:

Corporate Team, Leader, Portfolio Holder for Human Resources